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The Daily Press

HONGKONG, OCTOBER 20TH, 1870.

The CHIEF JUSTICE, who has been a consistent and steady opponent of the system upon which the Police in this Colony is conducted, made some remarks in the course of the case heard at the Criminal Sessions on Tuesday, which it is to be hoped will carry with them the weight both at the Colonial Office and to which they are entitled from the position and the long-continued experience of the speaker. From some portion of the views entertained by Chief-Justice SMALE, there is no doubt room to dissent. He has perhaps a little too much of the Lawyer's weakness of looking on all occasions for precedent, and being so disposed make less allowance for the peculiarities of Hongkong than is necessary in so exceptional a place. But though this is a fault no doubt at times open to a judgment, it must be confessed that it is a fault on the right side, as errors in the opposite direction are apt to be productive of far more serious consequences. A Colony so exceptionally situated as Hongkong, cannot be governed in the same way as other places. Some allowance must be made for special circumstances, and the application of measures which would not be justified elsewhere, may here be often not only justifiable, but absolutely necessary. But this view may be carried too far. We may at times deviate with safety from recognised practice, but we must be very careful, while doing so, that we do not depart from those plain principles of government, a careful adherence to which forms our only safeguard against errors of the most serious description. Thus, with regard to Police matters, Chief-Justice SMALE does not apparently fully recognise the necessity, which may often exist, for adopting somewhat more stringent means to secure the attendance of witnesses than would be justifiable at home; and upon this point his views would perhaps tend to sacrificing the justice due to the public to that which he feels to be due to the prisoner. But, with the exception of this point, respecting which there is undoubtedly room to differ, the opinions which he has from time to time felt necessary to give out, are worthy of the most careful consideration. The main subject to which he has all along called attention in one form and another with respect to the police, is that which has, from another stand point, been long and curiously discussed in these columns, namely, the evils which result from the divided jurisdiction, as to the Chinese and the European portions of the population, under the peculiar system adopted for governing the natives, which really makes the REGISTRAR-GENERAL the Governor of the Colony so far as the native residents are concerned. Anybody who will take the trouble to read the Ordinance (No. 8 of 1868) for "the regulation of the Chinese population," will be perfectly astounded at the enormous powers which it confers upon a single individual, placed in what is probably the most difficult position which it is possible for any one to occupy. This Ordinance is very defective, and is so framed that it must of necessity lead to the most pernicious interference with almost every department in the Colony; but more especially with the Judicial and Police Departments. The constitution of any individual a protector of the Chinese, is certain to result in his becoming by degrees worked upon by the Chinese as a species of arbiter as to cases. Petitions being sent to him, the natives naturally conclude that the powers in regard to them rest in the same office to which they are sent, and are gradually come to look upon the Registrar-General's Department as though it had actual authority, in place of being merely a medium in such matters. In respect to the police, the tendency of the Ordinance to cause confusion, is even more marked; and this is very peculiar as it is well known that the existing Ordinance for "the regulation of the Chinese community" was expressly designed to prevent a clash between the two departments which was found to exist before it was passed. For this reason, the whole of the powers concerning the direction of police were vested in the Superintendent, but curiously enough a loophole was left to render this entirely nugatory by a provision that "sepoys" might be appointed with the approval of the Governor—thus introducing a Chinese element into administration, and one certain to clash with the Police Service, inasmuch as these Sepoys, or heads of districts, are to act as constables. It is at this point that the district watchmen crop up, and it is here that the chief object of the Ordinance which was to prevent interference with the police, has been lost. Repeated allusion has been made to the pernicious effects of this divided authority; and, in bringing the matter prominently before the notice of the Legislative Council, the Chief-Justice has done a useful service to the public. There can be no question that the chief intention of the Ordinance constituting the Hierarchy-Government, was to secure the independent action of the Police Force under one head, and upon grounds of expediency, no one can fail to recognise the necessity for this provision. This also is the main point that was urged by the Chief-Justice in his remarks of the Council, and his statements in Court, with reference to Mr. Carnell's runners, tend in the same direction. There is, in Hongkong, as he aptly observes, an imperious in-

import of a most dangerous description. The Chinese portion of the police know what is going on, but the European portion, in the absence of any detective service, are completely in the dark. Thus the question whether a criminal be arrested depends upon the Chinese watchmen or the runners of Mr. D. R. CALDWELL. As regards the services likely to be rendered by the district watchmen in regard to the detection of crime, the kind of men they are is quite sufficient to show that, if left to themselves, they will be quite as likely to hush up crime, when Chinese are concerned, as to bring it to light; and that, as Judge SMALE observed on Tuesday, we have simply to choose whether the duties connected with the detection of offenders shall be performed by the head of the Police or by Mr. CALDWELL. There is no disputing the fact, and upon this issue depends whether we are content to continue without really knowing anything about the Chinese, or whether we will take the obvious precaution of establishing a detective force, and, following the intention of the Ordinance for the regulation of the Chinese, strike a final blow at the interference of the REGISTRAR-GENERAL's Department with the duties of the Police. It is well-known that Sir RICHARD MACDONALD availed himself of the services of Mr. CALDWELL, more than was considered in any way desirable by the generality of people in Hongkong, and the part played by the latter gentleman in regard to the Gambling House was very generally condemned, and was the subject of special condemnation at the Colonial Grand Jury, going so far as to say that, unless the licensing could be managed in some way less open to objection than one which made Mr. CALDWELL the recipient of \$20,000 annually, the whole system should be put an end to. Without entering into any further detail on this part of the subject, there is enough in the above to show that it would not meet the approval of the Home Government that Mr. CALDWELL should, either directly or indirectly, be in the service of the Government at Hongkong; and it would certainly meet with their unqualified disapproval that he should be the one person upon whom we are dependent for the detection of the numerous criminals who infest the Colony.

The *Globe* contains another strong article upon the necessity of the steps taken to obtain redress for the British citizens. It argues that the declaration of the nation is directed to the development of a Bank of Exchange for \$20,000, payable by the Oriental Bank Corporation in Calcutta, and also to a receipt for the above sum of money, with intent to defraud the said Frederick Burke.

Prisoner placed on trial.

It is said that the complainant, Frederick Burke, was a shipping clerk in the United States' navy at Yokohama, from which position he had received his discharge. He left Yokohama by the *P. M. S. S. China* and arrived here on the 1st of October. He had been engaged by the Oriental Bank Corporation, a bill for Rs. 600 payable in Calcutta. He had the first and second of exchange. Having no safe box to keep the paper he requested his employer to lock them up in his portmanteau. Afterwards he had his portmanteau locked. He said he had folded it up in his discharge, and now it was not there. It must have been stolen. Suspecting something wrong, the complainant went to the Oriental Bank and learnt that the bill had been cashed. He returned to his employer and found that the bill had disappeared, but he subsequently found him and gave him into custody. It appeared that the prisoner had gone to the Bank, where he saw Mr. L. Prior, assistant accountant. 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not go home to the heart of Europe. Strange as it may seem, Great Germany, the home of art and science, of power and wealth, of Europe in every art and science. To extinguish France, would be to pluck out one of the eyes of Europe. We have tried, and we shall still try, to bring about something like a reconciliation between France and Prussia; but the hour for an appeal to Prussia has passed. The time has come, unless her want of moderation should hereafter revive apprehensions in Europe like those excited by the First Napoleon, which ultimately united all nations against an intolerable tyranny.

THE CONDITION OF MORMON WOMEN.

Although these are educated thoroughly, especially up to a point like that of their husbands, of their better women are left in utter and complete ignorance. In all the many houses, even of the highest of the land, to which we often have had access, we have rarely a book save those of the Bible, and not even a single paper or magazine. We go up to the top of the day both at home and abroad, and meet with entire blankness; none of them had any idea of what we were talking about. Then, when a girl has reached full womanhood, while her husband is a learned man, she is married, probably to a man old enough to be her father. Take any girl of 14 or 15—which is the common marriageable age in Mormonism—ever an educated girl, and how able is she to form opinions of right judgments? Then comes the education and training, which will surely be at the minimum. So, these leveret Mormon men, wise in their generation, act upon the hearts of the women among them.

First, by appealing to the religious element, which is every man's; next, by keeping her in ignorance of every thing but the family of the claims to superiority of the men; and lastly, by throwing upon childless shoulders burdens of care and weights of responsibility, under which nature womanhood must often sink. We are reminded of him who pronounced, "We are all of us like 'hind-bird burdens and grievous to be borne,' and lay them upon others' shoulders."

The place occupied by a Mormon wife in her husband's household is simply that of a servant, with few privileges, save those of the cook, or Lucy the washer, in our domestic economy. She has no "afternoon out"—no wages to do as she will—with no "followers," and no chance of a change. But she has hard work, unrewarding toil, and the privilege of waiting upon the master of the house, and of course to call upon her services; and the belief that the more patiently she bears the cross of the present, the more beautiful will be the crown of the future she hopes to wear.—*Lippincott's Magazine*.

SKETCH OF MARSHAL BAZAINE.

Frédéric Achille Bazaïne, who through the just Marshal of France, was sent to the public opinion and the appointment of the Emperor to the critical post of Commander-in-Chief of the Army of the Rhine, and main French force, is a man of about 60 years of age, and has been a soldier all his life. Entering the army in the ranks, he was promoted to a sub-lieutenant in Algeria, and soon after his promotion was sent to serve in Spain on the Gibraltar side in the French Legion dispatched thither by Louis Philippe's Government, when France and Spain were at war against the Carlists. He returned to France after the fall of the Empire, and was sent to Africa, where he was employed both as a military man and in a post much resembling—allowing for the different spirit of the natives and the Algerian system of government that of the French, the office of a frontier commissioner under command of a general. In this capacity he ruled the trouble-some Arabs of the Tlemcen prairie for some years; but the Crémone war, as it increased in dimensions, called him to more important work, and he was suddenly made a general of brigades in 1855, on the appointment of the Algerian Foreign Legion. It was late comparatively when he reached the seat of war in the East, and he was chiefly employed in the attempt to keep the Transatlantic empire when the fall of the Confederacy brought it face to face with the jealousy of the victorious Union, and he was sent to command the highest military dignity, with Maximilian, electing to risk the dark fate prophesied for him, remitted to closed his reign by death at the hands of a military tribunal. It is well known that the Emperor's friends declare that he was sent to the East to be the main column of the French army when collected. But while this standeth necessary arrangements were put off from day to day, the Prussian acted, and the French suddenly found themselves the invaded side. When the Emperor was captured, he was sent to Paris, and it failed; it fell at once to Bismarck, and it is well for his reputation and the unusual character of Comte Bismarck that the latter at once offered to go from Cholmonde to serve under his former master. Bazaïne has the reputation of being the last of the great of the ground that the French army has sent since the old Napoleonic generation of marshals led him out.—*News of the World*.

COMMERCIAL INTELLIGENCE.

HONGKONG, Oct. 19.—"THE VENICE." The market for Soo-tee has been steady, and weaker since the arrival of the steamer *Daikai* with a supply of about 432 chests. Telegrams have been received from Calcutta quoting Patna at about Rupees 1225 to 1230; Beers 1125 to 1130; and Patna 1125 to 1130, all done in Malwa yet. The following are the latest news:—

"New Patna, \$553 to 5557 steady. New Beers \$325 to 3276, steady; Malwa, \$825 per picul, nominal; Patna, 9th and 10th weeks \$552; 11th and 12th weeks \$552."

No change in the drug market at present. There is nothing doing in the Share and Exchange markets.

"SHANGHAI." Hongkong Bank Shares Old... 23 p. prem. Now... 23 p. " Union Insurance Society of New Zealand... \$100 p. " Canton... \$100 p. " China Trade Insurance Company... \$1250 p. " Slave... \$1250 p. " China Jardine Matheson & Co... \$1250 p. " Hongkong Fire Insurance Company... \$1250 p. " Shares... 2074 p. " China Fire... \$50 to \$48 p. " Victoria Fire... \$25 to \$26 p. " H. & J. & Co... \$100 p. " Macao Steam Navigation... par. " Slave... 30 p. cent, prem. Shanghai Steam Navigation Co. par. to 5 p. " China Sea, Saigon, and Siam S. S. Co... 100 p. " Slave... par. " China Jardine Matheson & Co... par. " Hongkong Fire Insurance Co... \$1250 p. " Slave... 30 p. cent, prem. Hongkong-Dietherry Co... 20 p. a. prem. Indo-Chinese Sugar Co... par."

Sale of OCTOBER 19th, 1870.

"An appeal to China." Yuen Kung, 50 hours at 37, by Kung Fung to a travelling merchant.

Dried Persimmons, 50 piculs, at Rs. 3.60, by Kung Fung to a travelling merchant.

Quince-flax, 60 piculs, at Rs. 3.60, by foreign merchant to Yen Wo.

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